

City of Taylorsville
CITY COUNCIL MEETING
Minutes

Wednesday, March 1, 2006
Council Chambers
2600 West Taylorsville Blvd., Room No. 140
Taylorsville, Utah 84118

BRIEFING SESSION

Attendance:

Mayor Russ Wall

Council Members:

Chairman Morris Pratt
Vice-Chairman Jerry Rechtenbach
Council Member Lynn Handy
Council Member Les Matsumura

City Staff:

John Inch Morgan, City Administrator
John Brems, City Attorney
Virginia Loader, City Recorder
Robin Kishiyama, Council Coordinator
Don Adams, Economic Development Director
Larry Marx, Chief of Police
Mark McGrath, Community Development Director

Excused: Council Member Bud Catlin

BRIEFING SESSION

Chairman Morris Pratt conducted the Briefing Session, which convened at 6:00 p.m. The Council reviewed the Administrative Report, after which the agenda was discussed.

Following discussion of CDBG Funding, it was determined that Administration and the City Council will each assign one person to conduct an audit of some of the CDBG programs and will then report with their findings back to the City Council at mid-year,

Council Member Jerry Rechtenbach **MOVED** to adjourn the Briefing Session and convene the Regular City Council Meeting at 6:30 p.m. Council Member Les Matsumura **SECONDED** the motion. Chairman Morris Pratt called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Catlin-excused, Pratt-yes, Handy-yes, Matsumura-yes, and Rechtenbach-yes. **All members of the City Council voted and the motion carried by a unanimous vote.**

REGULAR MEETING

Attendance:

Mayor Russ Wall

Council Members:

Chairman Morris Pratt
Vice-Chairman Jerry Rechtenbach
Council Member Lynn Handy
Council Member Les Matsumura

City Staff:

John Inch Morgan, City Administrator
John Brems, City Attorney
Mark McGrath, Community Development Director
Gerry Orr, City Finance Director
Virginia Loader, City Recorder
Robin Kishiyama, Council Coordinator
Larry Marx, Chief of Police
Donald Adams, Economic Development Director
Sheri Argyle, Court Administrator

Excused: Council Member Bud Catlin

Citizens: Katie Larsen, Jolene Dearden, John E. Gidney, Sharon Wall, Harlan Christmas, Brent Overson, Kristie Overson, Emily Barwick, Jessica Thomson, Sherry, Zach and Amy Lauritzen, Members of Troop 1349, Scott Adams, Ed Richardson, Anita Lund, Blaine Lund, Darlene Pendleton, Steve Mayne, Junko Mayne, Steve Murdock, Gary Shepherd, Sterling, Jennifer and Jasen Tholen, D. Lee Nielsen, Tammy Robinson, Eric Francis, David Smith

1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS

18:34:59 Chairman Morris Pratt called the meeting to order at 6:35 p.m. and welcomed those in attendance. He asked that Council Member Bud Catlin be excused from the meeting.

1.1 Pledge of Allegiance – Opening Ceremonies – *Youth Council Member Jessica Thomson*

18:36:06 Jessica Thomson, of the Taylorsville Youth Council, directed the Pledge of Allegiance.

1.2 Reverence – *Youth Council Member Emma Barwick (Opening Ceremonies for March 15, 2006 to be arranged by Council Member Catlin)*

18:36:33 Youth Council Member Emma Barwick offered the Reverence.

1.3 Citizen Comments

18:36:46 Chairman Morris Pratt read the citizen comments procedure.

18:38:06 Chariman Pratt recognized and welcome Boy Scout Troops 771 and Troop 976.

18:38:33 There were no citizen comments.

1.4 Mayor's Report

18:38:43 Mayor Russ Wall welcomed the Boy Scout Troops and reported that he recently taught a *Citizenship in the Community* Class to many of the Boy Scouts that are in attendance.

18:39:01 Mayor Wall reported that the Arts Council recently held an Art Show wherein there were 83 participants, with over 160 entries.

18:39:38 Mayor Wall reported that three members of the Taylorsville City Youth Council have been nominated to represent Taylorsville High School in the Sterling Scholars 2006 competition. He then commended Luis Miranda, Jessica Wright and Mathias Gardner on this accomplishment.

18:40:39 Chairman Pratt recognized and welcomed Boy Scout Troop 361.

2. REPORTS

There were no scheduled reports.

3. APPOINTMENTS

3.1 Gary Stidham, Economic Development Committee – Mayor Wall

18:41:07 Mayor Wall recognized Gary Stidham and nominated him to serve on the Economic Development Committee.

18:41:32 Council Member Les Matsumura **MOVED** to appoint Gary Stidham to the Economic Development Committee. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a vote. The vote was as follows: Catlin-excused, Pratt-yes, Handy-yes, Matsumura-yes, and Rechtenbach-yes. **All City Council members voted in favor and the motion passed unanimously.**

4. CONSENT AGENDA 18:42:01

4.1 Minutes – Amended RCCM 01-18-06 and RCCM 02-15-06

18:42:09 Council Member Jerry Rechtenbach **MOVED** to adopt the Consent Agenda. Council Member Les Matsumura **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Catlin-excused, Pratt-yes, Handy-yes, Matsumura-yes, and Rechtenbach-yes. **All City Council members voted in favor and the motion passed unanimously.**

5. PLANNING MATTERS

There were no planning matters.

6. FINANCIAL MATTERS

6.1 Public Hearing – 6:30 p.m. – Regarding the Proposed Mid-Year Amendment to the 2005-2006 Fiscal Year Budget – *John Inch Morgan*

18:42:56 City Administrator John Inch Morgan called for Council approval to amend the budget for the 2005-2006 Fiscal Year. He explained that most changes are technical in nature and there is no change to the City's taxing structure.

Mr. Morgan presented a budget sheet with identified proposed budget changes and reviewed those changes in detail.

18:46:44 Mr. Morgan then addressed questions from the City Council.

18:47:37 Council Member Rechtenbach called for clarification on why mid-year change proposals differ from the projected expenditures/revenues, specifically for:

Line 30 – Justice Technology/Security
Line 94 – Studies/City Council
Line 353 – Vehicle Repair
Line 354 – Insurance Repair Proceeds
Line 379 – Insurance Proceeds on Cars

18:48:52 Mr. Morgan gave explanation on how calculations and modifications are determined. Mr. Rechtenbach suggested that any proposed changes should be reflected in the projected year-end amount.

18:51:32 City Finance Director Gerry Orr made additional clarification on budget allotments for insurance proceeds.

18:54:50 Chairman Pratt opened the public hearing on this matter and called for citizen comments.

18:54:45 There were no comments, and Chairman Pratt declared the Public Hearing closed.

6.1 Ordinance No. 06-08 – Amending the Budget for the 2005-2006 Fiscal Year

18:55:10 Council Member Les Matsumura **MOVED** to adopt Ordinance No. 06-08 – Amending the Budget for the 2005-2006 Fiscal Year. Council Member Lynn Handy **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Catlin-excused, Pratt-yes, Handy-yes, Matsumura-yes, and Rechtenbach-yes. **All City Council members voted in favor and the motion passed unanimously.**

6.2 Continued Discussion Regarding the Distribution of CDBG Funds – Kathy Ricci

18:56:21 Kathy Ricci was in attendance to answer any questions concerning the distribution of CDBG Funds. There were no questions.

6.2.1 Resolution No. 06-16 – Adopting the One Year Action Plan for 32nd Year Community Development Block Grant Funding, Home Investment Partnership Funding (2006-2007) and Approving Interlocal Cooperation Agreement Between the City of Taylorsville and the U.S. Department of Housing and Urban Development

18:56:43 Council Member Les Matsumura **MOVED** to adopt Resolution No. 06-16 – Adopting the One Year Action Plan for 32nd Year Community Development Block Grant Funding, Home Investment Partnership Funding (2006-2007) and Approving Interlocal Cooperation Agreement Between the City of Taylorsville and the U.S. Department of Housing and Urban Development. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Catlin-excused, Pratt-yes, Handy-yes, Matsumura-yes, and Rechtenbach-yes. **All City Council members voted in favor and the motion passed unanimously.**

18:57:56 Mayor Wall explained that Administration and the City Council will each assign one person to conduct an audit of some of the CDBG programs and then report their findings back to the City Council at mid-year.

18:58:34 Chairman Pratt recognized and welcomed Scout Troop 1349.

6.3 Resolution No. 06-17 – Approving the Reallocation of Fiscal Year 2003/2004 CDBG Funds for Sidewalk Replacement Program and Taylorsville Senior Center Garage/Food Pantry – *John Inch Morgan*

18:59:34 City Administrator John Inch Morgan explained that \$72,039.54 are 2004 CDBG funds that were not disbursed in the FY 2003/2004 CDBG Program Years. He explained that these funds will be reprogrammed to the Sidewalk Replacement Program and Taylorsville Senior Center Garage/Food Pantry.

19:00:51 Council Member Jerry Rechtenbach **MOVED** to Adopt Resolution No. 06-17 – Approving the Reallocation of Fiscal Year 2003/2004 CDBG Funds for Sidewalk Replacement Program and Taylorsville Senior Center Garage/Food Pantry. Council Member Les Matsumura **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Catlin-excused, Pratt-yes, Handy-yes, Matsumura-yes, and Rechtenbach-yes. **All City Council members voted in favor and the motion passed unanimously.**

7. OTHER MATTERS

7.1 Receipt of Evidence from Applicant BNK II, LC (Brent Overson) Regarding a Request for an Exception to the Standards for Roadway Development

19:01:56 Community Development Director Mark McGrath presented an overview of the proposal and the decision of the Planning Commission. He stated that this matter was reviewed and approved by the Planning Commission last month; however the applicant has appealed several of the conditions of approval. Mr. McGrath noted that conditions were based on both the Subdivision Ordinance and the Highways Ordinance, making the matter somewhat complicated.

Mr. McGrath illustrated the subject property and offered a PowerPoint presentation of the proposal for a private road. He described the conditions placed by the Planning Commission, including the requirement for a public road, which would potentially eliminate two ½ acre lots. Mr. McGrath stated that the stipulations placed by the Planning Commission were based on the 4800 South Small Area Master Plan adopted by the City in 2000.

19:10:17 Mr. McGrath cited potential public safety issues relating to egress/ingress as the basis for requiring a public road in the subject area. He also described setback requirements that are being appealed by Mr. Overson.

19:35:52 Council Member Jerry Rechtenbach made recommendation for a possible solution between the two property owners.

19:37:45 Applicant Brent Overson, representing applicant BNK II, LC, presented evidence to the Council regarding a request for an exception to the Standards for Roadway Development. Mr. Overson clarified that he has appealed Items 6 and 13 of the Planning Commission's conditions and is specifically requesting that he be allowed to put in a private road, rather than a public road. He stated that he is also requesting consideration on whether he has to stub to the north and south and whether he must design a country style road. Mr. Overson also confirmed that he is asking for an exception to the offset requirements.

20:07:22 Questions from the City Council were addressed by the applicant and by City Attorney John Brems.

19:41:55 Mr. Overson illustrated background on his request via an overhead presentation.

20:08:43 A letter from Scott Adams, a property owner near the proposed development, was submitted to the City Recorder for Council review.

20:11:23 Council Member Rechtenbach gave argument for the advantage of private roadways for the overall development.

20:11:47 Discussion ensued and additional questions and comments were addressed.

20:16:19 Council Chairman Pratt indicated that, although Council Member Catlin is not in attendance, he is aware that this issue might be voted on during the meeting.

20:17:03 Mr. McGrath and Mayor Wall gave clarification on which governing body must address the applicant's request for exception to ordinance standards.

20:18:54 Mr. McGrath provided additional information to the Council.

20:23:41 Discussion was held regarding the authority to grant a public or private road. Mr. Brems gave input and made recommendations.

20:29:10 Council Member Jerry Rechtenbach **MOVED** that, in view of the arguments heard, and based on the City Engineer's position and the applicant's presented plan, the exception should be granted on both counts. Mr. Brems made a suggestion to modify the motion and Mr.

Rechtenbach amended his motion to note that aesthetic values are being considered and that the development is not detrimental to public safety or welfare. Council Member Les Matsumura **SECONDED** the motion. Chairman Pratt called for further discussion. There being none, he called for a roll call vote. The vote was as follows: Catlin-excused, Pratt-yes, Handy-yes, Matsumura-yes, and Rechtenbach-yes. **All City Council members voted in favor and the motion passed unanimously.**

20:31:19 Mr. Overson called for a point of clarification.

20:31:49 Council Member Rechtenbach suggested deferring design decisions to the design team and the City team.

20:32:08 Clarification was given that the Planning Commission's condition for a dictated design only applied to a public road and not to a private road.

7.2 Discussion of the April City Council Meeting Schedule – *Chairman Pratt*

20:32:39 Chairman Pratt called for discussion on adjusting the April City Council Meeting schedule, due to the Utah League of Cities and Towns Mid-Year Convention in St. George during the first week of April. It was determined that a Regular City Council Meeting will not be held on April 5th, but Regular City Council Meeting will be held on April 12th; a Work Session held on April 19th; a Regular City Council Meeting held on Wednesday, April 26, 2006; and a Budget Work Session scheduled for Saturday, April 22, 2006, at 7:00 a.m.

8. NEW ITEMS FOR SUBSEQUENT CONSIDERATION (No Action)

20:39:02 Chairman Pratt proposed scheduling March 25th as a Budget Work Session, beginning at 7:00 a.m. Mr. Morgan reviewed some of the topics that will be discussed at the Budget Work Sessions.

20:46:34 Mayor Wall relayed that Chuck Taylor has expressed concerns regarding the use of school facilities for community sports. The Mayor reported that Administration recently had a meeting with the Chief of Police from Granite School District. He also stated that he attended a School Board Meeting and was able to express frustration about lack of cooperation and use of the school fields for Youth Football. The Mayor reported that the School District has now contacted Mr. Taylor and the City to work toward a solution to the issue. He also noted that a check is being issued to the City for compensation for providing Resource Officers in the High School.

20:48:38 Mayor Wall confirmed that the School District is open to discussion regarding an additional Resource Officer at a Junior High level.

9. NOTICE OF FUTURE PUBLIC MEETINGS (NEXT MEETING)

20:50:01

- 9.1 City Council Work Session – Wednesday, March 8, 2006 – 6:00 p.m.**
- 9.2 City Council Briefing Session – Wednesday, March 15, 2006 – 6:00 p.m.**
- 9.3 City Council Meeting – Wednesday, March 15, 2006 – 6:30 p.m.**

10. CALENDAR OF UPCOMING EVENTS

20:50:18

- 10.1 Taylorsville Community Orchestra Free Concerts, Saturday, March 4, 2006, 7:30 p.m. and Saturday, April 29, 2006, 7:30 p.m., Eisenhower Junior High, 4351 South Redwood Road**
- 10.2 Wednesday, June 28 through Saturday, July 1 – Taylorsville Dayzz 2006**

11. ADJOURNMENT

20:50:45 Council Member Les Matsumura **MOVED** to adjourn the City Council Meeting. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Pratt called for discussion. There being none, he called for a vote. The vote was as follows: Catlin-excused, Pratt-yes, Handy-yes, Matsumura-yes, and Rechtenbach-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 8:51 p.m.

Virginia Loader, City Recorder

Minutes approved: CC 03-15-06

Minutes Prepared by: Cheryl Peacock, Deputy Recorder